S.B.Cr.Misc. III Bail App. No. 5796/06
(Jagseer Singh @ Seera Vs. State of Rajasthan)

Date of order : 19/02/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Dron Kaushik for the petitioner.

Mr. Rameshwar Dave, Public Prosecutor.

This is third bail application.

Heard learned counsel for the petitioner and the Public Prosecutor for the State.

It is contended by learned counsel for the petitioner that the allegation against the present petitioner is that he conspired with co-accused Labhsingh for the commission of offence on the basis of the statement of Rajaram recorded under Section 161 Cr.P.C. Witness Rajaram has been examined by the trial court as PW-7 and he did not support the prosecution case.

Learned public prosecutor also submits that except the statement of Rajaram under Section 161 Cr.P.C. there is no other evidence connecting the present petitioner with the commission of crime.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, since, witness Rajaram has been examined and did not support the prosecution case so much so he did not even identify the present petitioner though present in the Court and only identified co-accused Labhsingh, I think it just and proper to enlarge the accused petitioner

on bail.

Accordingly, this third bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Jagseer Singh @ Seera S/o Mala Singh be released on bail in FIR No. 37/05 P.S. Pilibanga provided he executes a personal bond for a sum of Rs.20,000 with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP